

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	NO. CR 17-128RSL
	)	
Plaintiff,	)	ORDER GRANTING MOTION TO
	)	CONTINUE TRIAL AND PRETRIAL
vs.	)	MOTIONS DEADLINE
	)	
ANTONIO AVILA,	)	
	)	
Defendant.	)	
	)	

THIS MATTER having come before the Court on defendant's motion for a continuance of the trial and the pretrial motions due date, and the Court having considered the facts set forth in the motion, the speedy trial waiver executed by defendant, and the records and files herein, the Court finds as follows:

The Court finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to ensure adequate time for effective case preparation, and that these factors outweigh the best interests of the public and defendant in a speedy trial.

1. A failure to grant the continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv). In addition, the failure

1 to grant a continuance in the proceeding would be likely to result in a miscarriage of  
2 justice, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(i).

3 2. The ends of justice will be served by ordering a continuance in this case, as a  
4 continuance is necessary to ensure adequate time for the defense to effectively prepare  
5 for trial. All of these factors outweigh the best interests of the public and defendant in  
6 a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7).  
7

8 IT IS THEREFORE ORDERED that the trial date shall be continued from  
9 September 11, 2017, to January 16, 2018, and pretrial motions are to be filed no later  
10 than December 19, 2017.  
11

12 IT IS FURTHER ORDERED that the resulting period of delay from the date of  
13 this order to the new trial date is hereby excluded for speedy trial purposes under 18  
14 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).  
15

16 IT IS SO ORDERED.

17 Dated this 16<sup>th</sup> day of August, 2017.  
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19 

20 Robert S. Lasnik  
21 United States District Judge

22 Presented by,  
23 s/ *Kyana Givens*  
24 Attorney for Antonio Avila  
25 Office of the Federal Public Defender